

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUKE HERBERT JR.,
aka "DJ,"

Defendant.

CASE NO. *Duke O. M.A.*

JUDGE *Scorgie*

INDICTMENT

21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(B)
21 U.S.C. § 841(b)(1)(C)
21 U.S.C. § 846

THE GRAND JURY CHARGES:

COUNT ONE

(Distribution of Fentanyl)

On or about March 5, 2024, in the Southern District of Ohio, the defendant, **DUKE HERBERT JR.**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

COUNT TWO

(Distribution of Fentanyl)

On or about March 7, 2024, in the Southern District of Ohio, the defendant, **DUKE HERBERT JR.**, did knowingly and intentionally distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C).

COUNT THREE
(Conspiracy to Distribute Fentanyl)

On or about March 14, 2024, in the Southern District of Ohio, the defendant, **DUKE HERBERT JR.**, did knowingly and intentionally combine, conspire, confederate and agree with other individuals, both known and unknown to the Grand Jury, to distribute a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(C).

COUNT FOUR
(Distribution of Fentanyl Analogue)

On or about March 22, 2024, in the Southern District of Ohio, the defendant, **DUKE HERBERT JR.**, did knowingly and intentionally distribute 10 grams or more of a mixture and substance containing a detectable amount of acetyl fentanyl, an analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly referred to as fentanyl, as defined in 21 U.S.C. § 802(32), knowing that the substance was intended for human consumption as provided in 21 U.S.C. § 813.

In violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(vi).

A TRUE BILL.

s/Foreperson

FOREPERSON

KELLY A. NORRIS
Acting United States Attorney



NICOLE PAKIZ (0096242)
Assistant United States Attorney

ELIZABETH GERAGHTY (0072275)
Assistant United States Attorney